



PATENT
98356CONCONCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit 3635

Examiner Chapman :

In re application of :

Daudet et al. :

JOIST SUPPORT
APPARATUS

Serial No. 10/601,404 :

Filed June 23, 2003 :

Group No. 3635

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Your petitioner, DIETRICH INDUSTRIES, INC., a Corporation of the State of Pennsylvania, by and through its duly authorized representative, John R. Beck, represents as follows:

That it is the Assignee of the entire right, title, and interest in and to U.S. Patent No. 6,301,854 pursuant to an Assignment recorded on October 7, 1999 on Reel No. 010329, Frame No. 0358 and an Assignment recorded on June 30, 2000 on Reel No. 010950, Frame No. 0058;

That it is the Assignee of the entire right, title, and interest in and to U.S. Patent No. 6,761,005, which is a continuation of U.S. Patent No. 6,301,854, pursuant to an Assignment recorded on September 4, 2003 on Reel No. 014533, Frame No. 0844;

That it is the Assignee of the entire right, title, and interest in and to U.S. Patent No. 6,418,694 which is a division of U.S. Patent No. 6,761,005, pursuant to an

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Assignment recorded on January 17, 2007 on Reel No. 018767, Frame No. 0109 and an Assignment recorded on January 17, 2007 on Reel No. 018767, Frame No. 0127;

That it is the Assignee of the entire right, title, and interest in and to U.S. Patent No. 6,691,478, which is a continuation of U.S. Patent No. 6,761,005, pursuant to an Assignment recorded on August 25, 2003 on Reel No. 014416, Frame No. 0444;

That it is the Assignee of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/601,404 which is a continuation of U.S. Patent No. 6,691,478, pursuant to an Assignment recorded on January 17, 2007 on Reel No. 018767, Frame No. 0109 and an Assignment recorded on January 17, 2007 on Reel No. 018767, Frame No. 0127;

That petitioner, by the undersigned, has reviewed the aforementioned assignments conveying to it the entire right, title, and interest in and to the above-described patents and application, and hereby certifies that, to the best of its knowledge and belief, title to said above-described patents and application is in your petitioner, DIETRICH INDUSTRIES, INC.;

That your petitioner, DIETRICH INDUSTRIES, INC., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on U.S. Patent Application Serial No. 10/601,404 which would extend beyond the expiration date of the full statutory terms as presently shortened by any respective terminal disclaimer of U.S. Patent Nos. 6,301,854, 6,418,694, 6,691,478, and 6,761,005 and hereby agrees that any patent so granted on U.S. Patent Application Serial No. 10/601,404 shall be enforceable only for and during such period that said patent and said U.S. Patent Nos. 6,301,854, 6,418,694, 6,691,478, and 6,761,005 are commonly owned, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 10/601,404 and to be binding upon the grantee, its successors or assigns;

Your petitioner does not disclaim any terminal part of any patent granted on said U.S. Patent Application Serial No. 10/601,404 prior to the date of the full statutory term as presently shortened by any terminal disclaimer of said U.S. Patent Nos. 6,301,854, 6,418,694, 6,691,478, and 6,761,005 in the event that hereafter said U.S. Patent Nos.



6,301,854, 6,418,694, 6,691,478, and 6,761,005 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

WHEREFORE, your petitioner, DIETRICH INDUSTRIES, INC., prays that this TERMINAL DISCLAIMER be made of record in the file of this U.S. Patent Application Serial No. 10/601,404, and, further, that this TERMINAL DISCLAIMER be given due effect under 37 CFR 1.321.

The TERMINAL DISCLAIMER fee in the amount of One Hundred Thirty Dollars (\$130.00) is enclosed. The PTO is hereby authorized to charge Deposit Account No. 11-1110 for any fee deficiencies associated with this TERMINAL DISCLAIMER.

Respectfully submitted,

Dietrich Industries, Inc.

Date: 1-29-07

By:

John R. Beck
Vice President of Administration and
Technology